

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

WESTERN DIVISION

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UNITED STATES OF AMERICA

Plaintiff

v.

KIMBERLEE PITAWANAKWAT

Defendant

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5:20-CR-50122

SUPPLEMENTAL MOTION TO DISMISS

AND FOR ALTERNATIVE RELIEF

# EXHIBIT A

AO 442 (Rev. 11/11) Arrest Warrant

## UNITED STATES DISTRICT COURT

for the  
District of South DakotaUnited States of America  
v.  
KIMBERLEE "STORMY" PITAWANAKWAT,

Defendant

Case No. 5:20-cr-50122-02

RECEIVED  
U.S. MARSHALS  
RAPID CITY, SD

2020 SEP 21 PM 2:14

## ARREST WARRANT

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay  
(name of person to be arrested) KIMBERLEE "STORMY" PITAWANAKWAT,  
who is accused of an offense or violation based on the following document filed with the court:

☒ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☐ Complaint  
☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

False Statements    18 U.S.C. § 1001(a)(2)

Accessory After the Fact    18 U.S.C. § 3

Date: 9/18/2020  
09/17/2020City and state: Rapid City, SDMatthew Thelen  
Issuing officer's signatureMatthew W. Thelen, Clerk of Court  
Printed name and title

Return

This warrant was received on (date) 9/21/2020, and the person was arrested on (date) 9/28/2020  
at (city and state) Rapid City, SDDate: 1/24/23Josh Peterson  
Arresting officer's signatureDUSM Joshua Peterson  
Printed name and title

on behalf of unknown

CC USM Slt



CASE 20S-02289 DA # \_\_\_\_\_ COURT CASE # \_\_\_\_\_

State of Oregon )  
County of Lincoln )

## PROBABLE CAUSE AFFIDAVIT

I, the undersigned police officer, after first being duly sworn upon oath, do hereby affirm that the following information is true to the best of my knowledge and belief: **CIRCUIT COURT**

FILED \_\_\_\_\_ RECEIVED \_\_\_\_\_  
**SEP 24 2020**  
 NAME OF ARRESTEE: ..... Kimberlee Pitawanakwat  
 ARRESTING OFFICER: ..... Deputy Akin  
 DATE/TIME OF ARREST: ..... 09/24/2020 at 1702 hours  
 CRIME(S) ALLEGED: ..... Fugitive AT \_\_\_\_\_ O' CLOCK \_\_\_\_\_ M  
 LOCATION: ..... Takelma Ct/Judd Rd, Siletz, OR

## BRIEF SUMMARY OF PROBABLE CAUSE

September 24, 2020 at approximately 1700 hours I responded to the intersection of Takelma Ct and Judd Rd in Siletz, OR based on information that Kimberlee Pitawanakwat was at the location from Sgt Etheridge. I reviewed dispatch information and found that Pitawanakwat had a federal FBI warrant for her arrest out of Minneapolis. Dispatch confirmed the warrant. I located and detained Pitawanakwat in handcuffs, and confirmed her identity using an Oregon DMV photograph. I transported Pitawanakwat to the Lincoln County Jail where she was lodged.

POLICE OFFICER: \_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME THIS 24 DAY OF Sept, 2020NOTARY OR CLERK  
OF THE COURT: \_\_\_\_\_

- ☐ I find probable cause exists to believe the arrestee committed the crime(s).  
☐ I find insufficient probable cause exists, based on the information provided herein.  
☐ Defendant released before probable cause determination.

JUDGE: \_\_\_\_\_ DATE: \_\_\_\_\_

CORRECTIONS OFFICER: \_\_\_\_\_ DATE: \_\_\_\_\_

Original: Court

Copies: DA, Inmate File, Arresting Agency